

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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| PHILLIP B. ASHDOWN, |) | 3:11-cv-00832-LRH-WGC |
| |) | |
| Plaintiff, |) | <u>MINUTE ORDER</u> |
| |) | |
| vs. |) | November 1, 2013 |
| |) | |
| PRISON HEALTH SERVICES, et. al., |) | |
| |) | |
| Defendants. |) | |

PRESENT: THE HONORABLE WILLIAM, G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: KATIE OGDEN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Before the court is Defendants' Motion for Leave to File Medical Exhibits in Support of Motion for Summary Judgment Under Seal. (Doc. # 154.) Specifically, Defendants seek to file exhibits A, B, C, D, and F, which support their motion for summary judgment (Doc. # 155) under seal as they contain Plaintiff's private medical records.

"Historically, courts have recognized a general right to inspect and copy public records and documents, including judicial records and documents." *See Kamakana v. City and County of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006) (internal quotation marks and citation omitted). Documents that have been traditionally kept secret, including grand jury transcripts and warrant materials in a pre-indictment investigation, come within an exception to the general right of public access. *See id.* Otherwise, "a strong presumption in favor of access is the starting point." *Id.* (internal quotation marks and citation omitted).

The court recognizes that the need to protect medical privacy has qualified as a “compelling reason,” for sealing records in connection with a dispositive motion. *See, e.g., San Ramon Regional Med. Ctr., Inc. v. Principal Life Ins. Co.*, 2011 WL89931, at *n.1 (N.D. Cal. Jan. 10, 2011); *Abbey v. Hawaii Employers Mut. Ins. Co.*, 2010 WL4715793, at * 1-2 (D. HI. Nov. 15, 2010); *G. v. Hawaii*, 2010 WL 267483, at *1-2 (D.HI. June 25, 2010); *Wilkins v. Ahern*, 2010 WL3755654 (N.D. Cal. Sept. 24, 2010); *Lombardi v. TriWest Healthcare Alliance Corp.*, 2009 WL 1212170, at * 1 (D.Ariz. May 4, 2009).

IT IS SO ORDERED.

BY: /s/

Deputy Clerk